

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 555255012592

First Named Inventor Hao Xue

COMPLETE IF KNOWN

Application Number 10 / 681,763

Filing Date October 8, 2003

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR DYNAMIC PACKET TRANSPORT IN CDMA2000
NETWORKS**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 10/08/2003 as United States Application Number or PCT International

Application Number 10/681,763 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number OR ☒ Correspondence address below

David B. Cochran, Esq.

Name

JONES DAY

Address North Point, 901 Lakeside Avenue

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City

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44114-1190
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USA
Country

(216) 586-3939
Telephone

(216) 579-0212
Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

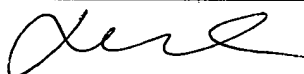
NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name Hao
(first and middle [if any])

Family Name Xue
or Surname

Inventor's
Signature



Date NOV. 3, 2003

Ottawa
Residence: City

Ontario
State

CANADA
Country

P.R. China
Citizenship

295 Phillip Street
Mailing Address

Waterloo
City

Ontario
State

N2L 3W8
ZIP

CANADA
Country

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name M. Khaledul
(first and middle [if any])

Family Name Islam
or Surname

Inventor's
Signature



Date NOV 3, 2003

Kanata
Residence: City

Ontario
State

CANADA
Country

Canada
Citizenship

295 Phillip Street
Mailing Address

Waterloo
City

Ontario
State

N2L 3W8
ZIP

CANADA
Country

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



PTO/SB/02A (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet
Page 3 of 3

Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name Kenneth J.		Family Name or Surname Liang	
Inventor's Signature <i>Kenneth J. Liang</i>		Date Nov 3, 2003	
Residence: City Ottawa	State Ontario	Country Canada	Canadian Citizenship
Mailing Address 295 Phillip Street			
Mailing Address			
City Waterloo	State Ontario	ZIP N2L 3W8	Country CANADA
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	ZIP	Country

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/681,763
Filing Date	October 8, 2003
First Named Inventor	Hao Xue
Title	Method and Apparatus for...
Group Art Unit	
Examiner Name	
Attorney Docket Number	555255-012-592

I hereby appoint:

☐ Practitioners at Customer Number →

Place Customer
Number Bar Code
Label here

☒ Practitioner(s) named below:

Name	Registration Number
Krishna K. Pathiyal, Esq.	44435
Robert C. Liang, Esq.	48091
Please see attached sheet	

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number →

Place Customer
Number Bar Code
Label here

OR

☒ Firm or
Individual Name **David B. Cochran, Esq.**

Address **JONES DAY**

Address **North Point, 901 Lakeside Avenue**

City **Cleveland** State **Ohio** Zip **44114**

Country **USA**

Telephone **(216) 586-3939** Fax **(216) 579-0212**

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name **Mihal Lazaridis, President and Co-CEO, on behalf of Research In Motion Limited**

Signature

Date **Nov 17, 2003**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted. (PTO/SB/81 (02-01) and *Supplemental Page Listing Additional Agents of Record)

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Hao Xue; M. Khaledul Islam; Kenneth J. LiangApplication No./Patent No.: 10/681,763 Filed/Issue Date: 10/08/2003Entitled: METHOD AND APPARATUS FOR DYNAMIC PACKET TRANSPORT IN CDMA2000 NETWORKSResearch In Motion Limited, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.**OR**B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/7/4

Date216-586-3939

Telephone numberJoseph M. Sauer

Typed or printed name[Signature]

SignatureAttorney (Agent) for Assignee

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

WHEREAS, new and useful improvements have been made by the undersigned in

METHOD AND APPARATUS FOR DYNAMIC PACKET TRANSPORT IN CDMA2000 NETWORKS

and are the subject of a patent application prepared for filing with the United States Patent and Trademark Office attached hereto, and executed by the undersigned on the dates indicated below in the appropriate spaces to the left of the signatures of the undersigned, which application is further identified as Jones Day Docket No. 555255012592.

WHEREAS, RESEARCH IN MOTION LIMITED, a corporation organized under the laws of the Province of Ontario, CANADA, having a place of business at 295 Phillip Street, Waterloo, Ontario, CANADA, N2L 3W8, hereinafter referred to as "assignee", is desirous of acquiring all right, title, and interest throughout the world in, to, and under said improvements and inventions and patent rights therefor.

NOW, THEREFORE, be it known that, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all right, title, and interest, in the United States and throughout the world, in, to and under said improvements and inventions and all patents, patent applications, patent rights, and inventor's certificates thereof, therefor, and therein, including without limitation said application for patent in the United States, all divisions and continuations thereof, all patents which may be granted thereon, all reissues and extensions thereof, all right to sue for past infringement thereunder, all patents which may be granted for said improvements and inventions by states or nations other than the United States, or by other authority, entity, or organization, and all applications therefor, have been and are hereby sold, assigned, transferred, and delivered unto assignee, its successors and assigns; and it is covenanted and agreed by the undersigned, and for executors, administrators, and legal representatives of the undersigned, that at assignee's request any and all applications, affidavits, assignments, and other instruments will be made, executed, and delivered as may be necessary, or desirable to secure for or vest in assignee, its successors or assigns, any improvement, inventions, right, title, interest, application, patent, patent right or other right or property covered by this assignment, and the United States Commissioner of Patents and Trademarks is hereby requested and authorized to issue any and all United States patents granted on any of said applications to assignee as owner of the entire right, title, and interest in, to, and under the same, and appropriately empowered officials of foreign countries are hereby authorized to issue any letters patent granted on any of said applications to assignee as owner of the entire right, title and interest in, to, and under the same.

The undersigned hereby grants the firm of JONES DAY the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

Date: Nov 3, 2003



Hao Xue
Unit 1, #1328 Maitland Ave.
Ottawa, ON. K2C 2C7
Canada

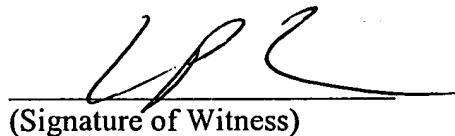
STATEMENT BY WITNESS

I, LUIS PADLO ESTABLE, whose full Post Office address is

51 RUE ALBERTE, GATINEAU, QC J9A 3J3
(Address of Witness) CANADA

hereby declare that I was personally present and did see the above named person, personally known to me to be the person named in the assignment, duly sign and execute the same.

Date: Nov 3 2003


(Signature of Witness)

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

Date: Nov 3, 2003



M. Khaledul Islam
88 Broughton Street
Kanata, Ontario K2K 3N4
Canada

STATEMENT BY WITNESS

I, LUIS PAOLO EVABLE, whose full Post Office address is

51 RUE ALBRETTE, GATINEAU, QC, J9A 3J3, CANADA
(Address of Witness)

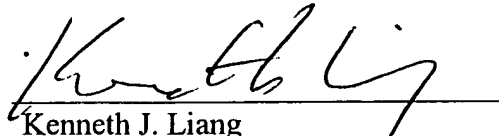
hereby declare that I was personally present and did see the above named person, personally known to me to be the person named in the assignment, duly sign and execute the same.

Date: Nov 3, 2003


(Signature of Witness)

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

Date: Nov 3, 2003


Kenneth J. Liang
88 Evanshen Cres
Kanata, Ontario K2K 2X7
Canada

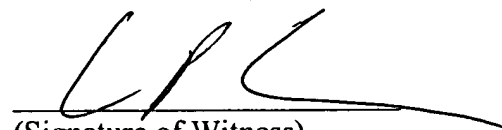
STATEMENT BY WITNESS

I, LUIS PABLO ESTABLE, whose full Post Office address is

51 RUE ALVETTE, BATTINEAU, J0A 3J3, QC
(Address of Witness) CANADA

hereby declare that I was personally present and did see the above named person, personally known to me to be the person named in the assignment, duly sign and execute the same.

Date: Nov 3, 2003


(Signature of Witness)